

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:16-00011

JALIL M. MYERS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On January 12, 2017, the United States of America appeared by Timothy D. Boggess, Assistant United States Attorney, and the defendant, Jalil M. Myers, appeared in person and by his counsel, Mary Lou Newberger, for a hearing on the petition on supervised release submitted by United States Probation Officer M. Dylan Shaffer. The defendant commenced a three-year term of supervised release in this action on August 29, 2016, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on August 29, 2016.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the state and local misdemeanor offenses of speeding, no operators and carrying a concealed deadly weapon to which he pled guilty in Campbell County, Kentucky, District Court, on November 22, 2016, for which he received a sentence of a six-month suspended jail sentence and a fine; (2) the defendant failed to abide by the condition that he not possess a firearm as evidenced by his plea on November 22, 2016, to carrying a concealed deadly weapon; (3) the defendant traveled outside of the Southern District of West Virginia without permission inasmuch as he was arrested on November 15, 2016, in Alexandria, Kentucky; (4) the defendant associated with a person engaged in criminal activity inasmuch as that person was a fugitive from justice when he was found with the defendant in Alexandria, Kentucky, on November 15, 2016; (5) the defendant failed to notify the probation officer of his arrest on November 15, 2016; and (6) the defendant failed to complete the test for his GED within three months of sentencing which occurred on August 29, 2016, inasmuch as, although he made some effort to enroll in the GED program, he did not complete it as instructed; all as

admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.


And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, to be followed by a term of thirty (30) months of supervised release upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B) and the standard conditions as set forth in Local Rule 32.3 and the special condition that he complete his GED.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: January 18, 2017

  
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John T. Copenhaver, Jr.  
United States District Judge